

Application No.: 10/583,188
Filing Date: March 22, 2007

REMARKS

Restriction is required under 35 U.S.C. 121 and 372 from among the following groups:

Group I: Claims 1-22, 26-30, drawn to an isolated stem cell population.

Group II: Claims 23-25, drawn to a method of differentiating stem cells to a target cell population.

Group III: Claims 33-36 and 42, drawn to a method repairing a damaged organ.

Group IV: Claims 37-40, drawn to a method of screening an agent for its organ specific effects.

Group V: Claim 41, drawn to a method for the in vitro protein production.

Response to Restriction Requirement

In response to the Restriction Requirement, Applicant elects Group I, encompassing Claims 1-22, 26-30, drawn to an isolated stem cell population.

Response to Election of Species Requirement

An election of Species was also required. The species were defined as insertion of DNA using a DNA or RNA virus (Claim 29), and using an antisense nucleic acid molecule, a ribozyme sequence or an inhibitory RNA sequence (Claim 30). In response to this requirement, Applicant elects "an inhibitory RNA sequence." Currently, Claims 1-22 and 26-28 and 30 read on the elected species.

Upon allowance of a generic claim, Applicant will be entitled to consideration of claims to additional species, which depend from or otherwise require all the limitations of an allowable generic claim as provided by 37 C.F.R. § 1.141.

Request for Rejoinder

Upon allowance of Group I claims, Applicants respectfully request rejoinder of Group II-V Claims. These claims are ultimately dependent on Claim 1 and include all of the limitations of Claim 1.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, the Applicants are not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this

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application. The Applicants reserve the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicants have made any disclaimers or disavowals of any subject matter supported by the present application.

Conclusion

Should there be any questions concerning this application, the Examiner is invited to contact the undersigned agent at the telephone number appearing below. Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 9 June 2008

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